

### **REMARKS**

Claims 1-9 are pending. This amendment amends independent system claim 1 and independent method claim 6. Claims 8 and 9 are cancelled.

In the Office Action, the Examiner rejects claims 1-9 as being anticipated by US Patent No. 6,298,348 to Eldering. Applicant notes that the Amendment filed on November 26, 2007 seems to have been fully considered by the Examiner but the argument was not deemed to be persuasive. However, the Examiner does not appear to rely on a previous art addressed in the argument, but rather applies Eldering in order to reject the claims.

The Examiner will appreciate that Eldering, by the title of his patent, is directed to a consumer profiling system. The profiles are formed and updated based on purchase history. As is typical in consumer profiles, these consumer profiles contain both demographic data and product preferences. Purchase records are transmitted to the consumer profiling system which updates the consumer profiles based on product territorialization which include demographic profiles with the typical purchaser of that product as well as the product brand and size. The profiles can be accessed by advertisers who transmit information characterising their ads. The ad information is correlated with the consumer profile to produce a measure of the applicability of the ad to that consumer.

Eldering teaches that an advantage of the system is the ability to maintain the privacy of the information while still allowing to be accessed to match advertisements and offers to consumers. With respect to the Examiner's interpretation of Eldering, applicant considers that Eldering teaches only a single facet of a true objective consumption profile within the context of the present application. Indeed, a true objective behaviour and feedback derived profile according to the present application is derived not only through consumer purchases, as Eldering teaches, but also from feedback received from the consumer himself or herself in order to correct or comment on consistencies and inconsistencies between the behaviour of the consumer and the actual wants or needs of the consumer. The consumer feedback aspect of the invention is now set forth in the last

clause of each of the independent claims. Therefore, the true consumption profile claimed in claim 1 as part of this system is more refined than the pure behaviour based consumer profile of Eldering.

Additionally, in Eldering, it is the mass of consumer profile that is accessed by advertisers. The ad information for a given product is correlated with the consumer profile to produce a measure of the applicability of the ad to that consumer. The ad is then sent to the consumer whether or not the consumer has requested, asked or even desired such an advertisement.

In the context of claims 1 and 6 of the present application, the system works the other way around. A consumer's true consumption profile goes on a "hunt" for a target consumption target. The objects characteristics are provided by the consumer's true consumption profile and a correlation is made between each product in the central product to repository and the true consumption profile in order to identify at least one best match consumption object. The profile of this at least one best match consumption object is presented confidentially to the consumer and the system enables to consumer to proceed with a purchase of this object.

Such a system and method is not taught or suggested by Eldering.

First of all, as mentioned above, Eldering does not teach a central and private consumer repository containing a plurality of true objective behaviour drive and feedback drive consumption profile. In this respect, the Examiner draws a retention to consumer profiling system 500 of Eldering. However, as mentioned previously, consumer profiling system 500 does not include or even imply a central and private consumer repository containing a plurality of true objective behaviour drive and feedback drive consumption profiles.

At best, Eldering teaches a plurality of consumer profiles denoted by box 560. But these consumer profiles, as discussed previously, contain demographic data and product preferences based on purchase history only. They are not based on consumer feedback.

Eldering does not teach a central product repository containing consumption object profiles for plurality of consumption objects. At best, Eldering teaches a repository of advertisement records denoted at 540. The Examiner should agree that a consumption object profile and an advertisement record are not the same thing. A record by definition is objective whereas an advertisement is not by definition limited to objective characteristics of a given product, but also includes a subjective component.

Eldering does not either teach correlating means for correlating parameters of a potential target consumption object with parameters of a given consumer's true consumption profile, and for identifying at least one best matched consumption object. On the contrary, indeed, Eldering, describes at column 10, lines 1 and following, a correlation process that revolves on a demographic correlation and a product correlation which can be returned to advertisement records 540. Advertiser 144 uses product correlation 558 and demographic correlation 556 to determine the applicability of the advertisement and to determine if it is worth purchasing the opportunity to advertise to this specific consumer. A pricing policy 570 is utilised to determine an ad price 570 which can be transmitted from consumer profiling system 500 to advertisement records 540 for use by advertiser 144.

In fact, what Eldering teaches is a system by which the advertiser can mine a database of consumer profiles and identify those consumer profiles to which a given advertisement can be presented, based on some correlation between the advertisement and a profile of the consumer. In Eldering, it is not the consumer that searches through all the ads to identify a best match but rather the other way around. In the present invention, it is the consumer profile that searches with a product repository, for a best match consumption object to that particular profile. Based on the language of claims 1 and 6, the provider of the consumer object has no knowledge or indication that a particular consumer is looking at one or more products until the consumer, as claimed in claims 1 and 6, chooses one of the at least one best match consumption objects in order to obtain said consumption object.

Consequently, it is respectfully submitted that Eldering does not anticipate claims 1 and 6 as currently amended nor can Eldering render obvious these claims. Indeed, a person skilled in the art reading the teachings of Eldering would not be led to a system or method for anonymously mentioned conception objects with a consumer consumption behaviour as positively claimed in independent claims 1 and 6.

Accordingly, independent claim 1 and its dependent claims 2-5 and independent claim 6 and its dependent claim 7 are patentable and should be allowed.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

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